

CLOSED SESSION – 7:15 P.M.

- A. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation, One Case: Quesco Kitchen Warehouse, Inc, et al. v. City of Belmont, San Mateo Superior Court No. CIV 503093

Attended by: Councilmembers Feierbach, Wozniak, Lieberman, Warden, Braunstein, City Manager Scoles, City Attorney Rennie. City Clerk Cook was excused from attending.

ADJOURNMENT at this time being 7:30 P.M.

Terri Cook
Belmont City Clerk

This meeting was not tape recorded or videotaped

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Wozniak, Warden, Braunstein

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Scoles, City Attorney Rennie, Police Chief Mattei, Community Development Director de Melo, Public Works Director Oskoui, Human Resources Director Dino, Parks and Recreation Director Gervais, Chief Building Official Nolfi, City Treasurer Violet, City Clerk Cook

PLEDGE OF ALLEGIANCE

Led by Kathleen Beasley, Belmont Library Branch Manager.

REPORT FROM CLOSED SESSION

City Attorney Rennie stated that direction was given but no action taken during the Closed Session held earlier.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Jorge Jaramillo, President, San Mateo County Hispanic Chamber of Commerce, invited the City Councilmembers to attend the upcoming Diversity Celebration Awards Ceremony. He noted that Mayor Feierbach is unable to attend, and he hoped that another Councilmember would be able to attend.

Kathleen Beasley, Belmont Library Branch Manager, provided the San Mateo County Library Systems Annual Report. She outlined statistics from the past year at the Belmont Library, including library circulation, number of visitors, program attendance, and special programs, including those for youths. She highlighted contributions made by the Friends of the Belmont Library.

Paula Morehead, Notre Dame de Namur student, invited the public to a theatrical performance at the University.

Giovanni Douresseau, Notre Dame de Namur student, stated that the University has formed a new debate club which was seeking community support and funding. He explained that a future debate topic and date would be announced at a later time.

Stephanie Biehl, Notre Dame de Namur Student Body President, expressed her appreciation for being able to participate in the recent Save the Music Festival. She noted that the students would be holding a voter registration drive and would be sponsoring a candidate forum on October 20th.

George Burgess, Belmont Chamber of Commerce, announced the upcoming candidate forum on October 12th. He also announced the Chamber of Commerce's sponsorship of a lecture series in partnership with Notre Dame de Namur's School of Business Management.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Wozniak noted that October is National Breast Cancer Awareness Month. She described the celebration recently held for the grand opening of Sun Edison. She congratulated the Save the Music Festival sponsors for the wide range of activities that were available.

Councilmember Lieberman stated that the Belmont United Soccer Club held its first game at Koret Field. He wished all of the teams success for the season.

Mayor Feierbach announced that the ribbon cutting for the Bicycle/Pedestrian Bridge would be held on Saturday, November 19th.

CONSENT CALENDAR

Mayor Feierbach noted that some residents from Robin Whipple Way were in attendance for the item on the Consent Agenda related to their street name.

Approval of Minutes of Special and Regular Meeting of September 13, 2011

Acceptance of Update and Self Evaluation of the Americans with Disabilities Act Title II for Fiscal Year 2010/2011

Motion to Receive Monthly Financial Reports

Adoption of Ordinance 1061 Determining to Comply with the Alternative Voluntary Redevelopment Program Pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in Order to Permit the Continued Existence and Operation of the Belmont Redevelopment Agency, Resolution Declaring the City's Intent to Adopt an Ordinance to Continue the Belmont Redevelopment Agency's Existence

Approval of Resolution 10426 Approving a Permanent Encroachment Agreement for a Creek Culvert and Private Access Road Adjacent to 3405 Bartlett Way (APN 043-191-390 and 043-191-400)

Approval of Resolution 10427 Authorizing the Filing of the Rubberized Pavement (TRP) Grant Program Application Fiscal Year 2011/12 with the California Department of Resources Recycling and Recovery (CalRecycle) for the Total Maximum Amount of \$375,000

Approval of Resolution 10428 Approving a Professional Services Agreement with a Consultant for a Biological Survey for the 2500 Carlmont Drive Headwall and Carlmont Creek Dredging for an Amount not to Exceed \$16,000

Approval of Resolution 10429 Confirming the Correct Spelling of Robin Whipple Way

Approval of Resolution 10430 Authorizing the Filing of the California River Parkway Grant Application for Fiscal Year 2011-2012 with the California Natural Resource Agency for a Total Amount of \$100,000

Approval of Resolution 10431 Approving the Memorandum of Understanding Between the City of Belmont and the Belmont Police Officers Association

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Braunstein, the Consent Agenda was unanimously approved by a show of hands.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Motion Designating Representative and Alternate to Sub-Regional Housing Needs Allocation Policy Advisory Committee

Community Development Director de Melo stated that the structure of this advisory committee allows all 21 jurisdictions in San Mateo County to partner regarding housing needs, and allows sharing of housing allocations on a regional basis. He explained that he was the liaison for the technical advisory committee component for this organization, and that a City Council member is needed for the policy committee. He clarified that cities need to demonstrate the ability to provide housing, and the rate at which housing is produced is market driven.

Councilmembers Lieberman and Wozniak offered to serve on the committee.

Councilmember Wozniak stated that housing needs are addressed by C/CAG.

Mayor Feierbach noted that this issue can get emotional.

Councilmember Lieberman offered to be the alternate to the policy committee.

In response to Councilmember Braunstein, Community Development Director de Melo outlined the process for assessing housing needs for the next timeframe, which will be 2014-2022. He explained that new housing requirements will be set forth at that time, and would take into consideration what had been produced during the previous seven years.

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Wozniak, and unanimously approved by a show of hands to appoint Councilmember Wozniak as designee and

Councilmember Lieberman as alternate to the Sub-Regional Housing Needs Allocation Policy Advisory Committee.

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Lieberman stated that the SBSA (South Bayside System Authority) would be discussing changes in allocation for the current capital project. He noted that workshops would be held to address this issue.

Councilmember Wozniak noted that the monthly Peninsula Consortium of Cities High Speed Rail Committee meetings are being held in Belmont through the end of the year.

Verbal Report from City Manager

City Manager Scoles spoke regarding the badge pinning ceremony to welcome the new firefighters. He stated that the Mayor welcomed Sun Edison, a new business in Belmont. He stated that the Bike/Pedestrian Bridge would finally have its ribbon cutting ceremony on November 19th. He introduced new City Attorney Scott Rennie, and noted that this was Mr. Rennie's first official meeting. He stated that the road reconstruction at Sixth and O'Neill Avenues was nearing completion, as was the creek dredging project.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion and Direction regarding eliminating lifetime health insurance benefits for eligible retired council members (Lieberman)

Councilmember Lieberman stated that a 1997 resolution adopted by the City Council provided eligibility for qualified Councilmembers to receive lifetime retiree benefits. He stated that it is not appropriate for the City to have a financial obligation to City Councilmembers after their terms have expired. He explained that he began discussing this matter with former City Attorney Zafferano prior to his leaving in February but put the matter on hold until the new City Attorney was hired.

City Attorney Rennie suggested that if changes to this policy are desired, they should be applied to future City Councilmembers in order to not create a conflict of interest with the current Councilmembers. He also noted that the City Council need not take a position regarding this matter this evening.

In response to Councilmember Warden, Human Resources Director Dino clarified that no retiree benefits have been paid to any eligible Councilmembers since adoption of the resolution in 1997.

Councilmember Lieberman noted that Mayor Feierbach is now eligible, and Councilmember Warden has the potential of being eligible. He stated this benefit should not be an incentive to run for office, and noted that many other benefits have been paid to Councilmembers since 1997.

Councilmember Braunstein stated that this is an unnecessary benefit and is not something for which taxpayer money should be used.

Councilmember Wozniak stated that there is no urgency regarding this issue. She stated that many of the green initiatives have been on hold, and she would prefer that they be addressed first. She noted there is no current cost regarding these benefits, and that she does not have an opinion regarding the benefit. She stated that it may be beneficial to look at the entire City Council benefit package.

Councilmember Warden stated that this was a political stunt, and he is not opposed to what Councilmember Lieberman has proposed. He concurred that nothing has been paid to date relative to this benefit, and concurred with Councilmember Wozniak about the need to look at all Council benefits.

Councilmember Lieberman noted that this matter is not just financial, and he stated that the money is set aside in the budget for potential expenditure. He stated that residents agree with him that this is an inappropriate benefit. He explained that the City Council is paying into PERS, and it would be easy to eliminate the retiree health benefit.

Mayor Feierbach suggested leaving this matter for the new Council to consider.

Councilmember Warden stated that when the resolution was adopted in 1997, a comparison of benefits to Councilmembers in other cities was provided. He recommended updating the comparison.

Councilmember Wozniak recommended including all benefits, such as car allowance and cell phones.

Councilmember Lieberman requested that action be taken on this matter prior to the next budget cycle and negotiations with other labor groups.

George Burgess, Belmont Chamber of Commerce, expressed his objection to the specific benefit for part-time Councilmembers. He agreed that the entire compensation package for City Councilmembers should be reviewed, and he stated that the City Council needs to provide leadership before negotiating with labor groups.

ADJOURNMENT at this time, being 8:40 P.M.

Terri Cook
City Clerk

Meeting Tape Recorded and Videotaped
Audio Recording 799